## IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF NORTH CAROLINA

EASTERN DIVISION No. 4:01-CR-47-2H

ORDER

No. 4:16-CV-32-H
NATHANIEL JACKSON,

Petitioner, )
v. )

UNITED STATES OF AMERICA,
Respondent.

Having examined petitioner's Motion to Vacate filed pursuant to 28 U.S.C. § 2255 [D.E. #93], the United States Attorney is DIRECTED to file an appropriate response within forty (40) days of the filing of this order.

Further, as petitioner appears to be requesting relief pursuant to <u>Johnson v. United States</u>, 135 S.Ct. 2551 (2015), the Federal Public Defender's Office is appointed to determine whether defendant may qualify for post-conviction relief pursuant to <u>Johnson</u>, and if so, to assist the defendant in obtaining such relief, all in accordance with the provisions of Standing Order 15-SO-2 of this court.

This  $12^{7/2}$  day of April 2016.

MALCOLM J. HOWARD

Senior United States District Judge

At Greenville, NC #26